

Janet ISBELL v. MARY KAY COSMETICS  
a/k/a Mary Kay, Inc.

98-1099

999 S.W.2d 673

Supreme Court of Arkansas  
Opinion delivered September 23, 1999

APPEAL & ERROR — PETITION FOR ATTORNEY'S FEES & COSTS MOOT  
— APPEAL DISMISSED. — Where, in a related opinion, the supreme  
court reversed the trial court's order and dismissed appellant's case,  
appellant's petition for attorney's fees and costs was moot; therefore,  
the court also dismissed this appeal.

Appeal from Pulaski Circuit Court; *John Ward*, Judge;  
dismissed.

*Stephens Law Firm*, by: *K. Gregory Stephens* and *Janis C. Speed*,  
for appellant/cross-appellee.

*Wright, Lindsey & Jennings LLP*, by: *Roger D. Rowe, Nancy Bellhouse May*, and *Troy A. Price*, for appellee/cross-appellant.

ROBERT L. BROWN, Justice. [1] Appellant Janet Isbell appeals an order of the trial court granting her attorney's fees and costs under the Arkansas Franchise Practices Act. See Ark. Code Ann. § 4-72-208(b) (Repl. 1996). She contends that the trial court abused its discretion in that the fees and costs awarded were too small. In a related opinion handed down today in *Mary Kay, Inc. v. Janet Isbell*, 338 Ark. 556, 999 S.W.2d 669 (1999), this court reversed the trial court's order and held that Janet Isbell was not covered by the Arkansas Franchise Practices Act. We dismissed her case. As a consequence of our decision in Case 98-489, Ms. Isbell's petition for attorney's fees and costs under the act is moot. This appeal is likewise dismissed.

Appeal dismissed.

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